

TITLE

IMMUNIZATION OF WORKERS FOR COVID-19

SCOPE

Provincial

DOCUMENT

1189

APPROVAL AUTHORITY

Alberta Health Services President and Chief Executive Officer

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SPONSOR

Workplace Health and Safety

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Not applicable

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Not applicable

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March 14, 2022

NOTE: The first appearance of terms in bold in the body of this document (except titles) are defined terms – please refer to the Definitions section.

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OBJECTIVES

- To set out **worker** immunization requirements for COVID-19 to protect the health and safety of workers, patients, and the communities Alberta Health Services (AHS) serves.

PRINCIPLES

AHS is committed to protecting the health and safety of its workers, patients, visitors, and others accessing AHS sites. Immunization against COVID-19 is the most effective means to prevent the spread of COVID-19, to prevent outbreaks in AHS facilities, to preserve workforce capacity to support the health care system, and to protect our workers, patients, visitors, and others accessing AHS sites. Immunization against COVID-19 also supports AHS' Values of Compassion, Accountability, Respect, Excellence, and Safety.

This Policy is in addition to other AHS policy documents supporting worker and patient safety during the COVID-19 pandemic including, but not limited to, the AHS *Use of Masks During COVID-19 Directive*, *Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive*, and the *Fit for Work Screening (COVID-19) Protocol*.

This Policy shall be reviewed regularly, and at least every six (6) months, to ensure alignment with public health measures and regulations, and to confirm it adequately covers the health and safety risks it addresses.

APPLICABILITY

Compliance with this document is required by Alberta Health Services, Alberta Precision Laboratories, Carewest, CapitalCare, and Covenant Health employees, members of the medical and midwifery staffs, students, volunteers, and other persons acting on their behalf. Compliance requirements for other contracted service providers, such as continuing care, will be

communicated directly to the contracted service providers. This document does not apply to physicians with Community Appointments.

ELEMENTS

1. Immunization Requirements

- 1.1 Effective October 31, 2021, all workers must be **fully immunized** against COVID-19.
- 1.2 A worker on an approved Leave of Absence must be fully immunized prior to returning to work.
- 1.3 A worker hired after October 31, 2021 must be fully immunized prior to commencing work.

2. Proof of Immunization Records

- 2.1 No later than October 16, 2021, workers shall disclose accurate proof of their immunization status to:
 - a) AHS or AHS subsidiary, if the worker is an AHS employee, medical staff, midwifery staff, or volunteer;
 - b) Covenant Health, if the worker is a Covenant Health employee, medical staff, midwifery staff, or volunteer;
 - c) their educational institution if the worker is a student or instructor; or
 - d) their employer if the worker is a contracted service provider.
- 2.2 Proof of immunization is being collected to protect the health and safety of workers, patients, and other persons accessing AHS sites and to preserve AHS' workforce capacity to support the health care system.
- 2.3 Proof of immunization records collected under this Policy shall be securely and confidentially retained, accessed, and used as necessary to determine fit for work status of workers, to manage and administer employment and other working relationships with workers, to address accommodation requests, and to comply with all applicable laws, such as the *Occupational Health and Safety Act* (Alberta) and *Regional Health Authorities Act* (Alberta).
- 2.4 Proof of immunization records are collected under the authority of Section 33(c) of the *Freedom of Information and Protection of Privacy Act* (Alberta) and shall be used, accessed, and disclosed in accordance with the legislation and the AHS *Collection, Access, Use, and Disclosure of Information Policy*.

3. Workplace Accommodation

- 3.1 Any AHS employee who is unable to be immunized due to a medical reason, or for another protected ground under the *Alberta Human Rights Act*, will be reasonably accommodated, up to the point of undue hardship, in accordance with the *AHS Workplace Accommodation Policy*.
- 3.2 Employees of AHS subsidiaries, Covenant Health, and applicable contracted service providers, who are unable to be immunized due to a medical reason, or for another protected ground under the *Alberta Human Rights Act*, will be reasonably accommodated, up to the point of undue hardship, in accordance with their applicable workplace accommodation policies.
- 3.3 Any current AHS employee requesting workplace accommodation shall make a request for the accommodation as soon as reasonably possible, and no later than October 16, 2021 and provide required information in accordance with the *AHS Workplace Accommodation Policy* (or the appropriate accommodation policy of an AHS subsidiary or Covenant Health, if applicable).
- 3.4 Any current AHS member of the medical or midwifery staff who is unable to be immunized due to a medical reason may request an exception as soon as reasonably possible and no later than October 16, 2021. A request for an exception shall be made to the Zone Medical Director or Provincial Midwifery Director. The lack of immunization may affect the safe exercise of their Clinical Privileges as described in the *Medical Staff Bylaws and Rules* (Rule 3.4.4.2), or may directly impact their ability to practice and patient safety in the *Midwifery Staff Bylaws and Rules* (Rule 3.3.4), as applicable.

4. Non-Compliance

- 4.1 Except where a workplace accommodation, or exception (for medical or midwifery staff), applies, failure to comply with this Policy shall result in:
- a) a meeting being held with the worker to discuss their concerns with vaccination against COVID-19 and provide educational materials on the COVID-19 vaccines; and
 - b) if the worker remains non-compliant with this Policy, the worker being placed on an unpaid leave-of-absence for the period of time required to become Fully Immunized;
 - (i) in the case of medical or midwifery staff, Immediate Action being taken as set out in Part 6 of the *Medical Staff Bylaws* or *Midwifery Staff Bylaws*.

DEFINITIONS

Fully immunized means a worker:

- a) who has received two doses of a vaccine considered valid by Alberta Health in a two dose COVID-19 vaccine series or one dose of a vaccine considered valid by Alberta Health in a one dose COVID-19 vaccine series; and
- b) for whom fourteen days have elapsed since the date on which the person received the second dose of the COVID-19 vaccine considered valid by Alberta Health of a two dose series or one dose of the COVID-19 vaccine considered valid by Alberta Health in a one dose vaccine series.

Worker means AHS, its subsidiaries and Covenant Health employees, members of the medical and midwifery staffs, students and instructors, volunteers, and applicable contracted service providers (including anyone providing services for AHS on behalf of an applicable contracted service provider).

REFERENCES

- Alberta Health Services Governance Documents:
 - *Attending Work with COVID-19 Symptoms, Positive Test, or Close Contact Directive*
 - *Use of Masks During COVID-19 Directive*
 - *Fit for Work Screening (COVID-19) Protocol*
 - *Collection, Access, Use, and Disclosure of Information Policy*
 - *Workplace Accommodation Policy*
 - *Medical Staff Bylaws and Rules*
 - *Midwifery Staff Bylaws and Rules*
- Alberta Health Services Forms:
 - *Employee Request for Accommodation Form (#19566)*
 - *Got My COVID-19 Immunization Form*
- Alberta Health Services Resources:
 - AHS Values
 - AHS Immunization Information Insite Page
- Non-Alberta Health Services Documents:
 - *Alberta Human Rights Act*
 - *Freedom of Information and Protection of Privacy Act (Alberta)*
 - *Occupational Health and Safety Act (Alberta)*
 - *Regional Health Authorities Act (Alberta)*

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